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PATENT
Attorney Docket No.: 12765

Examiner T. Gesesse
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#22

On September 27, 2000

By: Annette Mascella

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

McGREGOR et al.

Application No.: 08/749,721

Filed: November 15, 1996

For: MOBILE PHONE WITH
INTERNAL ACCOUNTING

Examiner: T. Gesesse

Art Unit: 2746

**SUPPLEMENTAL INFORMATION
DISCLOSURE STATEMENT
[37 CFR § 1.97(c)(2)]**

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In view of Applicants' August 15, 2000 Petition under 37 CFR § 1.129 to automatically withdraw the finality of the February 18, 2000 Office Action, Applicants submit the following "Supplemental Information Disclosure Statement" pursuant to the provisions of 37 CFR § 1.97(c)(2). Applicants authorize deduction from Deposit Account No. 20-1430 of the \$240 fee provided for 37 CFR § 1.17(p). Please deduct any additional required fees from, or credit any overpayment to, the above noted Deposit Account.

The following information has recently come to Applicants' attention. As provided in 37 CFR § 1.97(g) and (h), no inference should be made that the references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information:

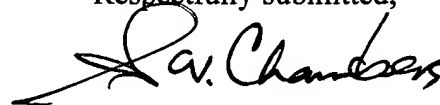
(1) Rodriguez U.S. Patent No. 5,983,091 is believed to be related to the OMEX Communications advertisements submitted with Applicants' November 30, 1998 Information Disclosure Statement. Both references disclose a debit system with two timer modules, one for

calls in the home service area and the other for roaming calls. In these systems, the user needs to anticipate the type of calls they want to make (i.e., home or roaming) and fund each module in an appropriate amount. To activate additional blocks of home or roam airtime in the Rodriguez patent, the user contacts his local dealer to obtain a home time or roam time code generated by a Code Generation Routine as illustrated in the drawings. By contrast, in Applicants' system, the user only funds one debit account and leaves it to the billing algorithm to categorize the call and calculate how much should be subtracted from that one account.

(2) "Communication Under Rule 51(4) EPC" pertains to the companion of the present application pending in the European Patent Office ("EPO") and evidences an intent by the EPO Examining Division to grant a European Patent with claims having content similar to claims pending in the present application.

(3) "Order Construing Claims" pertains to the patent which issued from the parent of the present application, namely U.S. Patent No. 5,577,100 ("100 patent"). The claim interpretations made in this Order are similar to those set forth in the "Order Construing Claims And Granting Defendant's Motion For Partial Summary Judgment Of U.S. Patent No. 5,577,100" which was submitted with Applicants' March 8, 1999 "Supplemental Information Disclosure Statement." This "Order Construing Claims" also rejects a challenge to the validity of the '100 patent claims as supposedly being "indefinite" under 35 U.S.C. § 112, ¶ 2.

Respectfully submitted,



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